

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Ariel Courage	Team: Squad #6	CCRB Case #: 201600468	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Thursday, 01/14/2016 4:00 AM	Location of Incident: § 87(2)(b)	Precinct: 101	18 Mo. SOL 7/14/2017	EO SOL 7/14/2017	
Date/Time CV Reported Mon, 01/18/2016 10:31 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Mon, 01/18/2016 10:31 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. POM Michael McCaffrey	10888	954111	101 PCT
3. SGT Juan Quiroz	3694	939263	101 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Juan Quiroz	Abuse: Sgt. Juan Quiroz entered and searched § 87(2)(b) in Queens.	
B.SGT Juan Quiroz	Discourtesy: Sgt. Juan Quiroz spoke discourteously to § 87(2)(b) and § 87(2)(b)	
C.POM Michael McCaffrey	Force: PO Michael McCaffrey used physical force against § 87(2)(b)	
D. Officers	Force: Officers used physical force against § 87(2)(b)	

### Case Summary

On January 18, 2016, § 87(2)(b) filed this complaint with the CCRB via DIRAD message.

On January 21, 2016, when contacted via phone by Intake, § 87(2)(b) scheduled to appear at the CCRB on January 25, 2016. § 87(2)(b) missed this appointment without providing cancellation notice. On January 25, 2016, a missed appointment was sent to § 87(2)(b).

When the undersigned returned from vacation on February 1, 2016, a second letter was mailed to § 87(2)(b) and a first email was sent to her. On February 1, 2016, the undersigned called § 87(2)(b) who rescheduled to provide an in-person statement on February 5, 2016. § 87(2)(b) subsequently missed this second appointment without providing cancellation notice. As of February 17, 2016, § 87(2)(b) is not incarcerated.

§ 87(2)(b) also filed this complaint on behalf of her son, § 87(2)(b). § 87(2)(b) said that § 87(2)(b) resided with her at § 87(2)(b). § 87(2)(b) did not have his own telephone number, and could be reached only through her. On February 1, 2016, a letter and email were sent to § 87(2)(b) through § 87(2)(b) mailing and email address. During the call on February 1, 2016, § 87(2)(b) said that § 87(2)(b) was not available to talk over the phone, but agreed to bring § 87(2)(b) with her to her scheduled appointment on February 5, 2016. Both § 87(2)(b) and § 87(2)(b) failed to appear. On February 5, 2016, a missed appointment letter was mailed to § 87(2)(b). Between February 5, 2016, and February 16, 2016, four additional calls were placed to § 87(2)(b) number in an attempt to reach § 87(2)(b). Each time, the undersigned either reached § 87(2)(b) who said it was not a good time for her to talk, or left voice messages requesting calls back. On February 11, 2016, a second letter and email were sent addressed to § 87(2)(b) through § 87(2)(b) contact information. To date, neither § 87(2)(b) nor § 87(2)(b) has responded to these contact attempts. As of February 17, 2016, § 87(2)(b) is not incarcerated.

§ 87(2)(b) also mentioned in her complaint that there were three other individuals who were involved in this incident and who, at the time, shared her address: § 87(2)(b) and § 87(2)(b) and an individual known to § 87(2)(b) only as "§ 87(2)(b)" but who was identified by the investigation as § 87(2)(b). Due to incomplete information from § 87(2)(b), it was unclear if § 87(2)(b) and § 87(2)(b) were also victims of misconduct.

On February 1, 2016, § 87(2)(b) was found to be incarcerated at § 87(2)(b) in relation to his arrest in this case. On February 11, 2016 and February 12, 2016, the undersigned twice called § 87(2)(b) attorney, § 87(2)(b) requesting permission to interview § 87(2)(b). On February 11, 2016, a letter was also mailed to § 87(2)(b) office. On February 16, 2016, the undersigned called § 87(2)(b) office a third time and was informed that § 87(2)(b) would speak to § 87(2)(b) on February 17, 2016, and would subsequently contact the CCRB. On February 17, 2016, § 87(2)(b) contacted the CCRB and said he had spoken to § 87(2)(b) who had no interest in pursuing this complaint.

The initial complaint did not include any contact information for § 87(2)(b) aside from an address, § 87(2)(b). On February 1, 2016, § 87(2)(b) said she had obtained a phone number for § 87(2)(b) but declined to provide it to the CCRB at that time, stating that she would provide it during her in-person statement on February 5, 2016, which she subsequently missed. As was discussed above, the investigation was never again able to reach § 87(2)(b) to inquire after contact information for § 87(2)(b). On February 5, 2016, and on February 17, 2016, a

Department of Corrections search confirmed that § 87(2)(b) was not incarcerated. On February 5, 2016, a check of CTS revealed no prior complaints involving § 87(2)(b). On February 5, 2016, and February 8, 2016, Lexis Nexis, COLES directory, and BADS searches returned multiple possible addresses for § 87(2)(b) as well as multiple possible telephone numbers. Between February 5, 2016, and February 22, 2016, five calls were placed to each of these numbers. Each time, the undersigned either reached a busy signal, a non-working number, or an individual who denied any knowledge of § 87(2)(b)'s whereabouts or contact information. On February 5, 2016, and February 15, 2016, please-call letters were mailed to each of § 87(2)(b)'s possible addresses. On February 8, 2016, a Department of Homeless Services request revealed that § 87(2)(b) was not listed in their database. To date, § 87(2)(b) has not contacted the CCRB.

The initial complaint similarly did not include any contact information for § 87(2)(b) aside from the same address, § 87(2)(b). On February 1, 2016, § 87(2)(b) denied that she had contact information for § 87(2)(b). On February 5, 2016, a Department of Corrections search confirmed that § 87(2)(b) was not incarcerated. On February 5, 2016, a check of CTS revealed no prior complaints involving § 87(2)(b). On February 5, 2016, and February 8, 2016, Lexis Nexis, COLES directory, and BADS searches returned multiple possible addresses for § 87(2)(b) as well as multiple possible telephone numbers. In addition, on February 8, 2016, a Department of Homeless Services request revealed that although § 87(2)(b) had not been active in their shelter system since 2006, he and his family had contact with the agency in 2014, which returned an additional address and telephone number. Between February 5, 2016, and February 22, 2016, five calls were placed to each of these phone numbers. Each time, the undersigned reached voicemail, wrong numbers, or numbers that were not in service. At only one of these numbers, on February 5, 2016, did the undersigned reach a female who said she knew § 87(2)(b) but did not have any contact information for him, as she did not think he had a phone or a fixed residence. When contacted a second time, on February 9, 2016, this female indicated that while she had no contact information for § 87(2)(b) she had seen him around, and promised to pass on the undersigned's contact information to him. On February 11, 2016, when the undersigned attempted to contact this female again, the undersigned reached a voicemail box that was full and could not accept messages. On February 16, 2016, the undersigned a fourth time called this female, who confirmed that she passed on the undersigned's contact information to § 87(2)(b). On February 18, 2016, a fifth call was place to this number, and again reached voicemail, which was again full and could not accept messages.

On February 16, 2016, NYPD documentation of this incident was received from the 101<sup>st</sup> Precinct, which did not include any contact information for § 87(2)(b) or § 87(2)(b).

As on February 22, 2016, § 87(2)(b) and § 87(2)(b) are not incarcerated.

§ 87(2)(b), § 87(2)(g)  
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Squad:

Investigator:	_____	_____	_____
	Signature	Print	Date
Squad Leader:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date